

**Custer County Commission Meeting (Wednesday, January 27, 2021)**

**Members present:**

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Craig Hindle, Travis Bies and Commission Legal Counsel Susan Anderson.

**A. Commission Meeting was called to order at 8:00 AM followed by the Pledge of Allegiance.**

The commission was informed that newly elected Commissioner Travis Bies had not taken his Oath of Office in the required period according to SDCL 3-1-2. Sara Frankenstein, Attorney with Gunderson Palmer Nelson Ashmore LLP, instructed the commission that this creates a vacancy on the board and needs to be filled according to SDCL 3-4-4. With the vacancy, Auditor Cornelison was instructed to temporarily fill the vacant seat on the board to create an odd number of voting members. Motion by Hindle and seconded by Linde to appoint Travis Bies to the vacant commission seat for the term of two years as per SDCL 3-4-6 provided his Oath of Office be administered immediately; vote taken, all aye; motion carried. Auditor Cornelison then administered the Oath of Office for Commissioner Bies.

**B. Adopting of the agenda**

1. Motion by Linde and seconded by Hindle to approve the agenda with the addition of the Oath of Office for Commissioner Bies; vote taken, all aye; motion carried.

**C. Consent Agenda**

1. Motion by Hartman and seconded by Bies to approve the minutes of the January 13, 2021 Commission Meeting and the following vouchers; vote taken, all aye; motion carried.

Vouchers approved as follows:

**PAYROLL:** Commissioners \$6,106.57; Auditor \$8,520.50; Treasurer \$10,376.62; Info Systems & Tech \$2,850.53; States Attorney \$12,744.85; Courthouse Building \$6,726.10; Director of Equalization \$12,340.24; Register of Deeds \$4,574.84; Human Resources \$1,706.94; Sheriff \$47,774.20; Coroner \$993.21; Library \$8,987.53; Conservation \$454.91; Weed & Pest Control \$1,989.06; Planning \$7,331.85; County Road & Bridge \$36,206.11; Emergency Management \$2,001.95; 24/7 Sobriety \$366.30; 911/Communications \$16,221.92

**COMMISSIONERS:** Quill \$10.79

**COURT:** Psychological Associate \$1,955

**AUDITOR:** Golden West Technologies \$318; Quill \$141.28; Innovative Office Solutions \$39.36

**COURT APPOINTED ATTORNEY:** Beesley Law Office \$998.50; Garland Goff \$1,003.15; Grey & Eisenbraun Law Office \$2,534.60

**COURTHOUSE BUILDING:** Black Hills Chemical \$137.98; Custer Ace Hardware \$35.36

**DIRECTOR OF EQUALIZATION:** Quill \$902.96

**REGISTER OF DEEDS:** State of South Dakota \$36.75

**HUMAN RESOURCE:** Quill \$113.34; Evergreen Office Products \$64.10

**SHERIFF:** Black Hills Electric \$50.62; Fedex \$15.12; Western Communications \$273.40; Sherry Weber \$18; Survival Armor \$806.08; L.N. Curtis & Sons \$220; Kiesler Police Supply \$843

**PRISONER CARE:** Pennington County Jail \$11,362.51; Correct RX Pharmacy \$115.96; South Dakota Public Health Laboratory \$40

**SEARCH & RESCUE:** City of Custer \$62.26

**SUPPORT OF POOR:** Rapid City Emergency Services \$255.73

**LIBRARY:** Century Link \$15.73

**MUSEUM:** Custer County Museum \$20,000

**WEED & PEST:** Black Hills Electric \$148.11; French Creek Supply \$116.98; Ron Wagner \$67.93; John Rittberger \$1,000; Elaine Whittlesy \$105.63

**PLANNING:** Golden West Technologies \$318

**COUNTY ROAD & BRIDGE:** A & B Welding \$79.38; Black Hills Electric \$1,599.16; Floyd's Truck Center \$361.39; French Creek Supply \$1,081.32; Fastenal Company \$10; Godfrey Brake \$478.27; Grimm's Pump Service \$70.14; Prairie Auto Parts \$101.85; Servall Towel & Linen \$111.34; Town of Buffalo Gap \$61; Custer Ace Hardware \$31.57; Silverback Plumbing \$449.77; Stern \$433.19; Mick's Electric \$6,683.94; Running's Supply \$1,494.33; Century Link \$15.73; Nelson's Oil & Gas \$1,358.92; MG Oil Company \$18,023.22; Great Western Tire \$2,042.49; Forward Distributing \$26.95; Dakota Fluid Power \$46.17; Pacific Steel & Recycling \$635.40; CBH Cooperative 4,571.30

**24/7 SOBRIETY:** Concordance Healthcare \$21.79

**BUILDING:** Black Hills Electric \$1,044.42; Black Hills Energy \$1,744.75; Custer City \$289.06; McGas Propane \$582.72; Adtech-Rapid Fire Protection \$1,200

**ROD MODERNIZATION & PRESERVATION:** Microfilm Imaging Systems \$380

**EMERGENCY LINE:** Century Link \$432.34; Mountain Plains Audiology \$35

**D. Conflict of Interest Declarations** – There were no conflicts of interest declared by the commission.

**E. Highway**

1. Motion by Hindle and seconded by Hartman to approve the Request for Bids for the 2021 Custer County Highway Department for Magnesium Chloride; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Bies to approve the Request for Bids for the 2021 Custer County Highway Department for ¾" Road Base; vote taken, all aye; motion carried.

**F. Planning**

1. Motion by Hartman and seconded by Linde to approve the Final Plat of Lot 5 of Evjen's Trace Subdivision, Located in the W2SE4 of Section 16, T4S, R7E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
2. Motion by Hindle and seconded by Hartman to approve the Final Plat of Lots B, C & D of Vickers Subdivision, and Vickers Tract, All Located in the S2SE4 of Section 25, T2S, R6E, and in the SW4SW4 of Section 30, T2S, R7E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.
3. Motion by Bies and seconded by Linde to approve the Final Plat of Tract Mad Maxx B Revised and Tract Mad Maxx C Revised of Phillips Subdivision No. 2, Located in the E2 of Section 34, T3S, R3E, B.H.M., Custer County, South Dakota; vote taken, all aye; motion carried.

**G. Sheriff**

1. Motion by Hindle and seconded by Bies to approve the promotion of Sheriff Deputy Matthew Warren to Sergeant effective February 6, 2021 with an increase in wage of \$1.00 per hour; vote taken, all aye; motion carried.
2. Sheriff Mechaley discussed with the commission the possibility of utilizing the current Emergency Management Office for Sheriff's Office 24/7 Sobriety program, Work Release Program, Sex Offender registration and general office space.
3. Sheriff Mechaley informed the commission he had met with the Payroll Committee regarding increasing wages for the Dispatchers. Mechaley is looking at pay restructuring and shift differential for those positions.

**H. Search and Rescue**

1. Teresa Obenauer introduced herself as the Treasurer for Search and Rescue as well as Public Information Officer for Emergency Management and Search and Rescue.

**I. Public Relations**

1. Motion by Hartman and seconded by Hindle to table the appointment of the Public Relations position until the next commission meeting on February 10, 2021; vote taken, all aye; motion carried.

**J. Human Resource**

1. Motion by Linde and seconded by Hindle to approve the new hire of Terri Janssen as Secretary for the Nurse's Office effective January 19, 2021 with a wage of \$13.49 per hour; vote taken, all aye; motion carried.

**K. 1881 Courthouse Museum**

1. 1881 Courthouse Museum board member, Rick Wheeler, updated the commission on the museum. The museum has combined the historical society and operating committee into one

group to oversee the operations of the museum. The replacement of the roof on the museum has been completed and the roof of the Carriage House will be done in the spring. The approved restoration project will be completed in the spring as well.

**L. Equalization**

1. Motion by Hindle and seconded by Linde to approve the promotion of Lindsey Lockett to Certified Appraiser effective January 5, 2021 with a wage of \$14.88 per hour; vote taken, all aye; motion carried.

**M. Auditor**

1. Motion by Hindle and seconded by Bies to approve Refund 2001R in the amount of \$305.75; vote taken, all aye; motion carried.
2. Motion by Linde and seconded by Hindle to approve and authorize the chairman to sign the Memorandum of Understanding Between SDSU Extension and Custer County for 2021; vote taken, all aye; motion carried.

**N. Old Business**

1. Dar Coy, Hot Springs Volunteer Fire Department Chief and Scott Edoff, Folsom Volunteer Fire Department Chief, discussed the concerns of the Buffalo Gap Volunteer Fire Department declaring their intention to no longer respond to medical calls and the effect it would have on mutual aid for their departments. The consensus was a meeting should be scheduled with all Volunteer Fire Departments concerned. Edoff volunteered to coordinate the meeting.
2. Auditor Cornelison informed the commission that Custer County has received \$662,000 from the CARES Act grant, which is approximately \$70,000 more than was originally awarded. Motion by Hindle and seconded by Bies to eliminate the greeter positions for the COVID 19 protocol effective February 12, 2021; vote taken, all aye; motion carried.
3. Motion by Hindle and seconded by Linde to authorize the chairman to sign the Request for FAA Approval of Agreement for Transfer of Entitlements for the Custer County Airport; vote taken, all aye; motion carried.

**O. 9:00 a.m. Judge Pfeifle**

1. Craig Pfeifle, Presiding Circuit Judge Seventh Judicial Circuit and Matthew Brown, Circuit Judge Seventh Judicial Circuit, were in attendance to discuss Resolution 2020-18 Resolution to Allow Possession of Firearms in or on the Courthouse and County Properties in Custer County. An Order regarding Custer County Courthouse was approved by the Supreme Court on January 14, 2021, and requires all Custer County court proceedings to be held at the Pennington County Courthouse. There was much discussion held regarding the order. Public testimony was given by several in attendance. Motion by Bies and seconded by Linde to rescind Resolution 2020-18 and revisit in six months at the July 28, 2021 commission meeting; vote taken, all aye; motion carried.

**P. Public Comment** – there were no further comments from the public.

**Q. Commission**

1. Mail call – A letter was received from the Black Hills Regional Multiple Use Coalition regarding their upcoming board meeting on January 22, 2020.

2. Meeting Schedule – The former STAR Academy property auction will be held on Friday, February 12<sup>th</sup> at 11:00 a.m. in the Custer County Commission Room; Commission Legal Counsel Anderson informed the Commission that a tour will be given in Rockerville, SD on Friday, January 29, 2021 at 10:00 a.m. to view the well and cistern project.
3. Meeting Reports – Commissioner Hindle attended a meeting with Search & Rescue and the Highway Department regarding the Homeland Security Grant opportunity to possibly purchase PT25 compatible radios for entities of Custer County; Commissioner Linde attended a Sanitation Board meeting and Museum Board meeting.
4. Motion by Hindle and seconded by Linde to adopt the following schedule of Board Member Representatives; vote taken, all aye; motion carried.
  - 4-H Promotion & Expansion – 1<sup>st</sup> Jim Lintz ALT Travis Bies
  - Custer County Historical Society – 1<sup>st</sup> Mike Linde ALT Craig Hindle
  - Airport Liaison – 1<sup>st</sup> Craig Hindle ALT Travis Bies
  - Conservation Board – 1<sup>st</sup> Mike Linde ALT Travis Bies
  - Director of Equalization – 1<sup>st</sup> Mark Hartman ALT Craig Hindle
  - Extension Board – 1<sup>st</sup> Jim Lintz ALT Travis Bies
  - Fair Board – 1<sup>st</sup> Jim Lintz ALT Travis Bies
  - Fire Board – 1<sup>st</sup> Jim Lintz ALT Travis Bies
  - Highway Liaison – 1<sup>st</sup> Mike Linde ALT Travis Bies
  - Housing & Redevelopment Board – 1<sup>st</sup> Mark Hartman ALT Craig Hindle
  - Human Resource – 1<sup>st</sup> Jim Lintz ALT Craig Hindle
  - Library Liaison – 1<sup>st</sup> Craig Hindle ALT Mike Linde
  - Planning Board – 1<sup>st</sup> Mark Hartman ALT Travis Bies
  - Planning Office Liaison – 1<sup>st</sup> Craig Hindle ALT Mark Hartman
  - Public Safety – 1<sup>st</sup> Mark Hartman ALT Travis Bies
  - RC & D Commission – 1<sup>st</sup> Jim Lintz
  - Safety Committee Liaison – Craig Hindle ALT Mike Linde
  - School Liaison – 1<sup>st</sup> Travis ALT Mark Hartman
  - Solid Waste Board – 1<sup>st</sup> Mike Linde ALT Travis Bies
  - Weed Board – 1<sup>st</sup> Jim Lintz ALT Mike Linde
  - Western Juvenile Detention Board – 1<sup>st</sup> Mark Hartman ALT Marty Mechaley
  - Western SD Community Action Board – 1<sup>st</sup> Jim Olson
  - Search & Rescue Liaison – 1<sup>st</sup> Craig Hindle ALT Mike Linde
  - County-wide Communications – 1<sup>st</sup> Travis Bies ALT
  - Veterans’ Service Office – 1<sup>st</sup> Mike Linde ALT Craig Hindle
  - Department Heads Review – Craig Hindle and Mike Linde
  - Maintenance – 1<sup>st</sup> Travis Bies ALT Jim Lintz
  - West County Project – 1<sup>st</sup> Mark Hartman

**R. Commission Legal Counsel**

1. Attorney Frankenstein reviewed the proposed job description for the Custer County Legal Counsel position and discussed the executive session and open meeting requirements.

**S. Executive Session**

1. Motion by Linde and seconded by Hindle to go into Executive Session pursuant to SDCL 1-25-2(1), SDCL 1-25-2(3) and SDCL 1-25-2(4); vote taken, all aye; motion carried. Executive Session began at 10:53 a.m. to discuss personnel, consult with legal counsel and contract negotiations and concluded at 12:10 p.m. with no action taken.

**T. Adjourn**

Motion by Hindle and seconded by Linde to adjourn the meeting at 12:19 p.m. The next meeting will be at 9 a.m. February 10, 2021 in the Commissioner's Room in the Custer County Courthouse.

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Jim Lintz, Chairman

Attest:

Terri Cornelison, Custer County Auditor

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